

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 2, 2001

D037998 Buncher v. Superior Court of San Diego County/Buncher

The petition is denied.

D038119 Lubitz v. Rogers

Pursuant to California Rules of Court, rule, 10 (c) the appeal filed May 8, 2001, is dismissed for appellants failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

D038054 Karla Z. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Karla Z. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D034670 People v. Sambrano

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D037849 In re Lindsey H. a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D037592 David T. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Huffman, J.; I Concur: Kremer, P.J.; I Dissent: McIntyre, J. (opinion)

D037711 In re Samuel A., a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

Court convened at 3:00 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and James McIntyre
Clerk: W. Pasek

D037631 Dalene S. et al. v. The Superior Court of San Diego County/San Diego County Health and Human Services Agency

Cause called on merits. Amy Markin, American Sign Language Interpreter is present for Mother. Kathleen Mallinger, Esq. argued for Petitioner Dalene S., Mother. Erica Hiramatsu, Alternate Public Defender, argued for Petitioner Elliott R., Father. Patrice Plattner-Grainger, Deputy County Counsel argued for Real Party in Interest San Diego County Health and Human Services Agency. Ms. Mallinger replied for mother. Ms. Hiramatsu replied for father. Cause submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 2, 2001 (Continued)

D037974 Iris W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.

The attorney for petitioner Iris W. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D037890 Berglund v. Superior Court of San Diego County/Losse et al.

The petition is denied.

D037841 In re Ertel on Habeas Corpus

The petition is denied.

D034732 People v. Gillard

The sentence is reversed and the case is remanded to the trial court for resentencing in accordance with the views expressed in this opinion. Huffman, Acting P.J.; I Concur: O'Rourke, J.; I Concur in the Result: McIntyre, J.

D037843 In re Ravaux on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 3, 2001

D037555 Truck Insurance Exchange v. Kim et al.

Judgment affirmed. Truck to recover costs on appeal. Haller, J., We Concur: Kremer, P.J., McIntyre, J.

D036076 People v. Franklin

The judgment is affirmed. McIntyre, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D038057 Host v. Superior Court of San Diego County/People

The petition is denied.

D037829 In re Jeremy P., a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D035938 People v. Day

The judgment is reversed as to Day's conviction of robbery. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

D036570 People v. Closs

Judgment affirmed. Benke, J.; We Concur: Kremer, P.J., McIntyre, J.

D036363 People v. Cook

The convictions are affirmed. The sentence is reversed and the matter is remanded for trial on the prior prison terms allegations of admission after waiver of Cook's rights. Kremer, P.J.; We Concur:
Benke, J., McDonald, J.

D036661 People v. Gaytan

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D036846 In re Amanda P., a Juvenile

The judgment is reversed. The matter is remanded to the juvenile court for a new selection and implementation hearing under section 366.26 consistent with the views expressed in this opinion. McIntyre, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D035338 People v. Polselli

D036940 In re Polselli on Habeas Corpus

The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 5, 2001

**D037631 Dalene S. et al. v. The Superior Court of San Diego County/San Diego County
Health and Human Services Agency**

The petitions are denied. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D036814 Taylor v. Trustees of the California State University

The judgment is affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D037787 In re Jessica G. et al., Juveniles

The appeal is dismissed. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D035588 People v. Ojeda

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D037179 People v. Frandsen

D037975 In re Frandsen on Habeas Corpus

(consolidated) Judgment affirmed; petition denied. O'Rourke, J.;

We Concur: Kremer, P.J., Huffman, J.

D037272 Barnett et al. v. Fireman's Fund Insurance Company

The opinion filed June 4, 2001, is ordered certified for publication.

D036807 Ippolito v. Ventana et al.

The petition for rehearing is denied.

D037542 White v. Lim

The petition for rehearing is denied.

D037326 Cundieff v. W.T. Billard, Inc., et al.

Upon written request filed by appellant The Raymond Corporation, the appeal of The Raymond Corporation only is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 6, 2001

D037958 Luz H. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Luz H. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D037924 In re Vickers on Habeas Corpus

In light of the People's concessions, we conclude no useful purpose could reasonably be served by issuance of an order to show cause or plenary disposition of the matter. Let a writ of habeas corpus issue vacating the conviction in case No. SCD137671. Vicker's application for release on his own recognizance from any custody remaining on his parole violation in case SCD137671 is granted. The matter is remanded to superior court with directions to dismiss case No. SCD137671.

D038243 Arlene G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied.

D037305 People v. Derwich

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P. J., O'Rourke, J.

D036943 In re Chaunte C., a Juvenile

The appeal is dismissed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D037329 In re Felicia N., a Juvenile

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D038270 J.L. Davidson Company, Inc. v. Superior Court of San Diego County/Otay Water District et al.

The petition is denied.

D035683 People v. Branham

The sentence for count 6 is modified to 16 months, consecutive to the other sentences imposed by the court for a total sentence of 30 years four months to life. The superior court is directed to modify the abstract of judgment accordingly and to forward an amended abstract to the Department of Corrections. In all other respects the judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Nares, J.